

## United States District Court

SOUTHERN

DISTRICT OF

TEXAS

JUL - 8 2015

MCALLEN DIVISION

UNITED STATES OF AMERICA

V.

David J. Bradley, Clerk

## CRIMINAL COMPLAINT

Alex Rios

A208 283 506

United States Citizen

PRINCIPAL

YOB: 1994

Case Number:

M-15- 1117 -M

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about July 7, 2015 in Hidalgo County, in the Southern District of Texas defendants(s) did,  
(Track Statutory Language of Offense)

knowing or in reckless disregard of the fact Oscar Armando Ramirez-Escalante, a national of El Salvador, and Joel Silva-Martinez, a national of the Mexican United States, along with one (1) other undocumented alien, for a total of three (3), who had entered the United States in violation of law, did knowingly transport, or move or attempts to transport said aliens in furtherance of such violation of law within the United States, that is, from : location near Rio Grande City, Texas to the point of arrest near La Joya, Texas,


in violation of Title 8 United States Code, Section(s) 1324(a)(1)(A)(ii) FELONY

I further state that I am a(n) U.S. Senior Border Patrol Agent and that this complaint is based on the following facts:

On July 7, 2015, at approximately 12:27 p.m., La Joya Police Department Patrol Officers requested assistance from the McAllen Border Patrol to identify the citizenship of several subjects they had encountered at a traffic stop in La Joya, Texas. Border Patrol Agents S. Okoh responded to that location and made contact with Officer Arriaga. Officer Arriaga stated that he had conducted a vehicle stop on a white in color Chevrolet Malibu for speeding over the posted limit. When Officer Arriaga approached the vehicle he observed a total of four occupants. All three of the passengers freely admitted to being nationals of Mexico and El Salvador. Officer Arriaga suspected that the passengers were illegally present in the United States and requested assistance from the McAllen Border Patrol station.

SEE ATTACHED

Continued on the attached sheet and made a part of this complaint:

☒ Yes ☐ No*Approved  
Joseph Leonard*  
Signature of Complainant

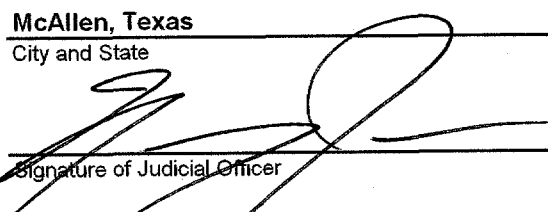
Michael K. Garza Senior Patrol Agent  
Printed Name of Complainant

Sworn to before me and subscribed in my presence,

July 8, 2015  
Date

at McAllen, Texas  
City and State

Nancy K. Johnson U. S. Magistrate Judge  
Name and Title of Judicial Officer

  
Signature of Judicial Officer

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF TEXAS  
McALLEN, TEXAS**

**ATTACHMENT TO CRIMINAL COMPLAINT:**

**M-15- 1117 -M**

**RE: Alex Rios**

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**CONTINUATION:**

BPA S. Okoh questioned the three passengers as to their citizenship and they freely admitted to being in the U.S. illegally, with no documents which would grant them legal status. The driver, Alex Rios, was questioned as to his citizenship, at which time he stated he was a United States Citizen. All subjects were subsequently placed under arrest, advised of their rights, and transported to the McAllen Border Patrol Station for processing.

Officer Arriaga issued a citation to the driver, Alex Rios, for driving with an invalid license and public intoxication. Alex Rios was additionally issued a warning for driving fifty-five miles per hour in a forty-five mile per hour zone.

**PRINCIPAL STATEMENT:**

Alex Rios was advised of her Miranda Rights by Border Patrol Agent Javier Fabela. Rios stated that he understood his rights and was willing to provide a statement without the presence of an attorney.

Rios stated that he had been contacted by a subject identified as "El Cuatro". Rios claims that he owed El Cuatro approximately \$500 (USD) and that he agreed to transport the illegal aliens to pay off his debt. Rios then drove to Rio Grande City, Texas and picked up three individuals, with the intent of transporting those three subjects to an unknown location in Mission, Texas. Rios stated that he was cognizant of the fact that all of the individuals were illegally present in the United States.

**MATERIAL WITNESS STATEMENT:**

Once at the Border Patrol Station, both of the material witnesses were advised of their Miranda Rights in their preferred languages. Both verbally stated that they understood their rights and were willing to provide a statement without the presence of an attorney.

1. Oscar Armando Ramirez-Escalante, a citizen of El Salvador, claims that he was charged \$1,200 (USD) to be smuggled into the United States. Ramirez stated that he illegally crossed the Rio Grande River on July 1, 2015, at approximately 11:00 p.m. Ramirez and approximately two other individuals were subsequently picked up and taken to a house. Ramirez remained at that location for approximately one month. On July 7, 2015, Ramirez was told by the caretaker of the house that he was going to be picked up. A vehicle subsequently arrived at the house and picked up Ramirez. Oscar Armando Ramirez-Escalante positively identified Alex Rios as the driver of the vehicle through the use of a CBP photo lineup.

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**CONTINUATION:**

2. Joel Silva-Martinez, a citizen of Mexico, claims that he was charged \$1,500 (USD) to be smuggled into the United States. Silva stated that he illegally crossed the Rio Grande River on July 1, 2015, at approximately 11:00 p.m. After crossing into the United States Silva was picked up and taken to a house. Silva remained at that location for approximately eight days. On July 7, 2015, Silva states that she was picked up from the house by vehicle. Joel Silva-Martinez positively identified Alex Rios as the driver of the vehicle through the use of a CBP photo lineup.